



**BOARD OF EDUCATION MEETING  
MINUTES - MEETING FORMAT "B"**

October 18, 2018

**. CLOSED SESSION**

Minutes:

Dr. Tahvildaran-Jesswein called closed session to order at 4:30 p.m.

**.I. PUBLIC COMMENTS FOR CLOSED SESSION ITEMS ONLY**

**.II. CLOSED SESSION**

**.II.A. Government Code 54956.9(d)(1) CONFERENCE WITH LEGAL COUNSEL  
EXISTING LITIGATION (15 min)**

- Name of Case: America Unites for Kids vs. Lyon (C.D. Ca. Sept., 2016), now on appeal to the U.S. Court of Appeals for the Ninth Circuit, America Unites for Kids v. Rousseau, No. 16-56390

**.II.B. Government Code 54956.9(d)(2) CONFERENCE WITH LEGAL COUNSEL  
ANTICIPATED LITIGATION SIGNIFICANT EXPOSURE TO LITIGATION (25 min)**

- 1 case

Minutes:

The Board approved a settlement agreement with ACI Contractors, Inc., concerning the track and field replacement project at Lincoln Middle School. Under the terms of the settlement ACI agreed to pay the District \$145,000 for delays to completion of the project and \$16,380 for incomplete work which will offset ACI's claims for \$126,932.20 for additional work. The settlement will result in a net payment to the District by ACI of \$447.80.

Ayes: 7 (Tahvildaran-Jesswein, Kean, de la Torre, Foster, Lieberman, Leon-Vazquez, Mechur)

Noes: 0

Absent: 0

- DN-1009-18/19 (Special Education)

**.II.C. Government Code 54957 PUBLIC EMPLOYEE DISCIPLINE / DISMISSAL /  
RELEASE (5 min)**

**.II.D. Government Code 54957.6 CONFERENCE WITH LABOR NEGOTIATORS (15 min)**

- Agency Designated Representative: Dr. Ben Drati
- Employee Organizations: SMMCTA
- Agency Designated Representative: Dr. Ben Drati
- Employee Organizations: SEIU

**. OPEN SESSION**

**.I. CALL TO ORDER**

Minutes:

Dr. Tahvildaran-Jesswein called open session to order at 5:43 p.m.

**.I.A. Roll Call**

- Present Oscar de la Torre – *arrived at 4:50 p.m.*
- Present Craig Foster
- Present Jon Kean
- Present Maria Leon-Vazquez – *arrived at 4:45 p.m.*
- Present Laurie Lieberman
- Present Ralph Mechur
- Present Dr. Richard Tahvildaran-Jesswein

**.I.B. Pledge of Allegiance**

Minutes:  
Fifth grader Asha Hudson led the Pledge of Allegiance.

**.II. APPROVAL OF THE AGENDA**

**Motion Passed:** Passed with a motion Mr. de la Torre and a second by Mr. Foster.

- Yes Oscar de la Torre
- Yes Craig Foster
- Yes Jon Kean
- Yes Maria Leon-Vazquez
- Yes Laurie Lieberman
- Yes Ralph Mechur
- Yes Dr. Richard Tahvildaran-Jesswein

**.III. APPROVAL OF MINUTES**

**.III.A. Approve October 4, 2018, Minutes**

**Motion Passed:** It is recommended that the Board of Education approve the October 4, 2018, regular meeting minutes. Passed with a motion by Mr. Foster and a second by Mr. de la Torre.

- Yes Oscar de la Torre
- Yes Craig Foster
- Yes Jon Kean
- Yes Maria Leon-Vazquez
- Yes Laurie Lieberman
- Yes Ralph Mechur
- Yes Dr. Richard Tahvildaran-Jesswein

**.IV. BOARD OF EDUCATION COMMENDATIONS/RECOGNITIONS**

**.IV.A. National Hispanic/Latino Heritage Month Celebration (10 min)**

Minutes:  
Time start: 5:45 p.m. Time end: 6:13 p.m.

Edison Principal Lori Orum introduced P.S. teacher Martha Ramirez-Oropeza and Mr. Ruben Marquez, who summarized the mission, demographics, and cultures of Edison Language Academy. Third graders demonstrated their Dia de Los Muertos performance, which they learned through the P.S. Arts program.

**.V. SUPERINTENDENT'S REPORT**

Minutes:  
Time start: 6:13 p.m. Time end: 6:16 p.m.

Dr. Drati reported that every school and the district office participated in the CA Great Shakeout this morning. It was an opportunity for everyone to practice their emergency response protocols. Dr. Drati reported that three of our Malibu schools, one of our Santa Monica schools, and the district office experienced a power outage earlier this week due to high winds. He thanked the City of Malibu staff for working the situation with us. He said the school staff handled the situation well. We learned of some telecommunication

problems that we will address. Dr. Drati reported that fourteen teachers are participating with administrators to learn more about project-based learning. They will be experiencing trainings throughout the year to learn how to design lessons around PBL. He also reported that two cohorts of teachers and administrators are learning about social justice standards.

## **.VI. CONSENT CALENDAR**

**Passed** with a motion by Mr. Foster and a second by Ms. Lieberman.

Yes Oscar de la Torre  
Yes Mr. Craig Foster  
Yes Jon Kean  
Yes Maria Leon-Vazquez  
Yes Laurie Lieberman  
Yes Ralph Mechur  
Yes Dr. Richard Tahvildaran-Jesswein

Minutes:

The board approved Item Nos. A.2-3, B.2-3, C.1-16, and D.1-7 listed under the Consent Calendar. The board pulled Item No. A.1 and voted on it separately.

Time start: 6:16 p.m. Time end: 6:17 p.m.

### **.VI.A. Curriculum and Instruction**

#### **.VI.A.1. Approval of Independent Contractors**

**Motion Passed:** It is recommended that the Board of Education enter into an agreement with the following Independent Contractors. Passed with a motion by Mr. Kean and a second by Mr. Foster.

Yes Oscar de la Torre  
Yes Mr. Craig Foster  
Yes Jon Kean  
Abstain Maria Leon-Vazquez  
Yes Laurie Lieberman  
Yes Ralph Mechur  
Abstain Dr. Richard Tahvildaran-Jesswein

Minutes:

Time start: 6:17 p.m. Time end: 6:18 p.m.

Dr. Tahvildaran-Jesswein and Ms. Leon-Vazquez recused themselves, as they work for Santa Monica College, a vendor listed in this item.

#### **.VI.A.2. Conference & Travel Approval/Ratification - 2018/2019**

#### **.VI.A.3. Overnight Field Trip(s) 2018-19**

#### **.VI.A.4. Special Education Contracts**

### **.VI.B. Business and Fiscal**

#### **.VI.B.1. Award of Purchase Orders**

#### **.VI.B.2. Acceptance of Gifts- 2018/2019**

### **.VI.C. Facilities Improvement Projects**

#### **.VI.C.1. Change Order #01 John Adams Middle School Athletic Field Replacement Project FieldTurf USA, Inc. - Measure ES**

#### **.VI.C.2. Change Order #01 John Adams Middle School Athletic Field Replacement Project - Softball Field Replacement FieldTurf USA, Inc. - Measure ES**

#### **.VI.C.3. Change Order #03 Lincoln Middle School Field Replacement Project Construction Contract Bid #17.13.ES.R1 Angeles Contractor, Inc. Measure ES**

- .VI.C.4. Change Order #04 Olympic High School - Campus Modernization Project - SimplexGrinnell -Measure BB**
- .VI.C.5. Change Order #05 to Agreement Santa Monica High School Discovery Building Project Demolition of Science and Technology Buildings Construction Contract Bid #18.13.ES - Ampco Contracting - Measure ES**
- .VI.C.6. Change Order #03 Webster Elementary School Safety Project Construction Contract Bid #18.10.BBWaisman Construction, Inc. - Measure BB**
- .VI.C.7. Change Order #03 Webster Elementary School Window, Paint, Floors & Doors Project Construction Contract Bid # 17.10.ES Angeles Contractor Inc. Measure ES**
- .VI.C.8. Amendment #04 to Agreement McKinley Elementary School Window, Paint, Floors & Doors Project and HVAC Project Architectural Services Rachlin Partners Measure ES**
- .VI.C.9. Amendment #60 to Agreement Malibu Middle & High School Campus Improvements Project - Architectural Services - HMC Architects Measure BB**
- .VI.C.10. Award of Agreement Malibu Middle & High School Campus Improvements Project FF&E Design Services - Pacific Office Interiors (POI) Measure BB**
- .VI.C.11. Amendment #01 to Agreement Districtwide Sustainability Plan Services Cumming Corporation Measure ES and General Fund**
- .VI.C.12. Accept Work as Completed Lincoln Middle School Field Replacement Project Construction Contract Bid #17.13.ES.R1 Angeles Contractor, Inc. Measure ES**
- .VI.C.13. Accept the work as Completed Webster Elementary School Window, Paint, Floors & Doors Project Construction Contract Bid #17.10.ES - Angeles Contractor Inc. Measure ES**

**.VI.D. Personnel**

- .VI.D.1. Certificated Personnel - Elections, Separations**
- .VI.D.2. Classified Personnel - Merit**
- .VI.D.3. Personnel Commission - Non-Merit**
- .VI.D.4. Increase in Staffing (FTE) - Special Education**

**.VII. STUDY SESSION**

**.VII.A. New Mariachi Music Program (30 minutes)**

Minutes:

Time start: 6:18 p.m. Time end: 6:58 p.m.

Staffed answered board members' questions regarding obstacles we might anticipate in implementing this program; how we reach out to other districts about this program; how we might coordinate with SMC for dual enrollment opportunities; how this program could be implemented to more schools following the pilot; and how more cultural programs could be incorporated at Malibu High School.

**.VIII. DISCUSSION ITEMS**

**.VIII.A. Santa Monica Ed Foundation Quarterly Fundraising Update (15 min)**

Minutes:

Time start: 6:58 p.m. Time end: 7:23 p.m.

Ms. Greenberg and Ms. Faulkner answered board members' questions regarding Santa Monica-specific fundraising increases from last year to this and how alumni could be better incorporated into formal giving. Mr. Mechur recused himself from the discussion.

**.IX. MAJOR ACTION ITEMS**

**.IX.A. Approve Master Agreement between the Shark Fund and the Santa Monica-Malibu Unified Schools District (20 min)**

*Time Certain: 5:45 PM*

Minutes:

The board postponed this item to the next board meeting.

**.IX.B. Public Hearing - Negotiation Proposals for Santa Monica-Malibu Unified School District (SMMUSD) and Santa Monica-Malibu Classroom Teachers' Association (SMMCTA)**

It is recommended that the Board of Education hold a public hearing regarding the negotiation proposals for the Santa Monica-Malibu Unified School District (SMMUSD) and the Santa Monica-Malibu Classroom Teachers' Association (SMMCTA). Passed with a motion by Mr. Kean and a second by Ms. Lieberman.

Absent Oscar de la Torre

Yes Mr. Craig Foster

Yes Jon Kean

Yes Maria Leon-Vazquez

Yes Laurie Lieberman

Yes Ralph Mechur

Yes Dr. Richard Tahvildaran-Jesswein

Minutes:

Time start: 7:23 p.m. Time end: 7:24 p.m.

Motion made by Mr. Kean, seconded by Ms. Lieberman, and voted 6/0 (Mr. de la Torre was absent) to open the closed session. It was moved by Ms. Leon-Vazquez, seconded by Ms. Lieberman, and voted 6/0 (Mr. de la Torre was absent) to close the public hearing.

**.X. INFORMATIONAL ITEMS**

**.X.A. Quarterly Report on Disability Harassment Reporting**

**.X.B. Quarterly Report on Hate-Motivated Behavior**

**.X.C. Santa Monica-Malibu Unified School District (SMMUSD) Sunshine Proposal to Open Successor Negotiations with the Santa Monica-Malibu Classroom Teachers' Association (SMMCTA)**

**.X.D. Santa Monica-Malibu Classroom Teachers' Association (SMMCTA) Sunshine Proposal to Open Successor Negotiations with the Santa Monica-Malibu Unified School District (SMMUSD)**

**.XI. GENERAL PUBLIC COMMENTS**

**.XII. BOARD MEMBER ITEMS**

**.XIII. REQUESTS BY MEMBERS OF THE PUBLIC OR DISTRICT ADVISORY COMMITTEES TO ADDRESS THE BOARD OF EDUCATION**

**.XIV. CONTINUATION OF PUBLIC COMMENTS**

**.XV. BOARD MEMBER COMMENTS**

Minutes:

Time start: 7:24 p.m. Time end: 7:27 p.m.

- Ms. Lieberman attended the recent Samohi orchestra and choir performances, both of which she said were extraordinary and fun. She said the composers and musical choices represented different cultural backgrounds.

- Ms. Leon-Vazquez wondered if there was a way for our dance students to travel to Cuba to see the National Ballet of Cuba, who were supposed to perform at the Hollywood Bowl this past August, but were denied entrance to U.S. due to visa complications.

**.XVI. FUTURE AGENDA ITEMS**

**.XVII. ADJOURNMENT**

It was moved by Ms. Lieberman, seconded by Ms. Leon-Vazquez, and voted 7/0 to adjourn the meeting at 7:27 p.m. in memory of Beverly Waters, a retired, long-term Samohi Vice Principal. The next meeting is a regular meeting scheduled for Thursday, November 1, 2018, at 5:30 p.m. in the Malibu City Council Chambers: 23825 Stuart Ranch Road, Malibu, CA.

Approved: \_\_\_\_\_

\_\_\_\_\_  
President

\_\_\_\_\_  
Superintendent

***Meetings held at the District Office and in Malibu are taped and rebroadcast in Santa Monica on City TV2, Cable Channel 20 – Check TV listing.  
Meetings are rebroadcast in Malibu on Government Access Ch. 3 every Saturday at 8pm.***